

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Tony N. Frudakis et al.
Application No. : 09 699,295
Filed : October 26, 2000
For : COMPOSITIONS AND METHODS FOR THE THERAPY AND
DIAGNOSIS OF BREAST CANCER

Docket No. : 210121.419C10

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints Richard W. Seed, Reg. No. 16,557; Robert J. Baynham, Reg. No. 22,846; George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; David J. Maki, Reg. No. 31,392; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; David D. McMasters, Reg. No. 33,963; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Kevin S. Costanza, Reg. No. 37,801; Thomas E. Loop, Reg. No. 42,810; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Gary M. Myles, Reg. No. 46,209; Eric J. Gash, Reg. No. 46,274; Jeffrey C. Pepe, Reg. No. 46,985; and Charles J. Rupnick, Reg. No. 43,068; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, and Cynthia L. Shumate, Reg. No. 38,303; Kathleen Nora

McKereghan, Reg. No. 41,985; And Jeff E. Hundley, Reg. No. 42,676, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to **Jane E. R. Potter** at (206) 622-4900 and telecopies to (206) 682-6031.

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Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Corixa Corporation filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Corixa Corporation
ASSIGNEE

1/30/01
DATE



Kathleen Nora McKereghan
Vice President, General Counsel and Secretary

Enclosure:

Copy of Assignment

L:\210121 - Corixa 419c10 Forms 419c10-Election-poa.doc

DECLARATION FOR UTILITY PATENT APPLICATION

Attorney Docket No. : 210121.419C10

First Named Inventor : Tony N. Frudakis

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FEB 13 2001

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below under my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

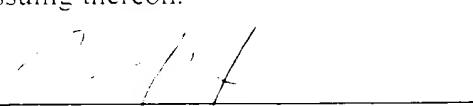
COMPOSITIONS AND METHODS FOR THE THERAPY AND DIAGNOSIS OF BREAST CANCER

which is described and claimed in the specification and claims of continuation-in-part (C-I-P) Patent Application No. 09.699,295, as filed in the United States Patent and Trademark Office on October 26, 2000 ("this application") for which a patent is sought. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under 35 U.S.C. § 365(c) of any PCT international application(s) designating the United States of America, as listed below ("the parent applications") and insofar as the subject matter of each of the claims of this application is not disclosed in at least one of the below-listed United States or PCT International parent applications in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56, including material information which became available between the filing date of any of the below-listed parent applications and the national or PCT International filing date of this (C-I-P) application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM DD YYYY)	Parent Patent Number	Attorney Docket Number
09 590,583	June 8, 2000		210121.419C9
09 577,505	May 24, 2000		210121.419C8
09 534,825	March 22, 2000		210121.419C7
09 429,755	October 28, 1999		210121.419C6
09 289,198	April 9, 1999		210121.419C5
09 062,451	April 17, 1998		210121.419C4
08 991,789	December 11, 1997		210121.419C3
08 838,762	April 9, 1997		210121.419C2
PCT US 97/00485	January 10, 1997		210121.419PC
08 700,014	August 20, 1996		210121.419C1
08 585,392	January 11, 1996		210121.419

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


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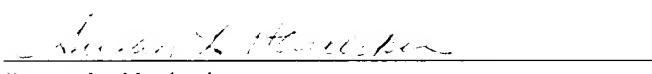
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